

JOHN L. CORDANI, JR.

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October 4, 2022

VIA ECF AND E-MAIL

Hon. Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: *Melissa & Doug, LLC v. Scholastic Corporation, et al.*
Civil Action No. 22-cv-6314(KPF)

Dear Judge Failla:

We represent the Plaintiff in the above-referenced action. We write to respectfully request an adjournment of the Fed. R. Civ. P. 16(c) conference presently scheduled for November 1, 2022.

The reason for this request is two-fold. First, since the filing of the Complaint, the parties have engaged in settlement discussions regarding Plaintiff's claims. These discussions are continuing and may result in settlement without the need for further proceedings. Second, each of the Defendants executed a Waiver of the Service of Summons (see ECF Doc. Nos. 8-10) on September 26, 2022. Defendants' deadline to appear and respond to the Complaint is November 21, 2022, after the presently scheduled conference. Accordingly, we request that the conference be adjourned to January 2023 (or another time that the Court is available) to allow time for the Defendants to respond the Complaint, and for the parties to meet and confer pursuant to Fed. R. Civ. P. 26(f) and file the joint letter and proposed scheduling order required by Your Honor's rules.

This is the first request for the relief herein. Although Defendants have not yet appeared in this action, their counsel, who is copied on this letter, is aware of this request and consents to the same.

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We thank the Court for its time and consideration.

Respectfully submitted,



John L. Cordani, Jr.

cc: Brian D. Siff (*via e-mail*)
Duane Morris LLP
1540 Broadway
New York, NY 10036

Attorneys for Defendants

Application GRANTED. The initial pretrial conference scheduled for November 1, 2022, is hereby **ADJOURNED to January 6, 2023, at 12:00 p.m.**

The Clerk of Court is directed to terminate the pending motion at docket entry 11.

Dated: October 4, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE